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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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 DOCUMENT  
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MITSUI SUMITOMO INSURANCE CO., LTD., )  
 Plaintiff, )  
 - v. - )  
 ROADWAY EXPRESS, INC., )  
 Defendant. )

08 Civ. 5700 (PKC)

STIPULATION & ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the parties, pursuant to Rule 15 of the Federal Rules of Civil Procedure, that plaintiff, Mitsui Sumitomo Insurance Co., Ltd., may file its First Amended Complaint annexed hereto as Exhibit "A"; that service thereof shall be deemed complete upon the Court's entry of an Order on this Stipulation; and that defendant's time to answer shall run from the date of said Order.

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Dated: New York, New York  
August 8, 2008

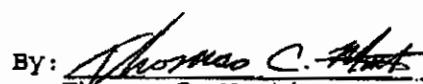
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IT IS SO ORDERED

  
Hon. Judge P. Kevin Castel  
United States District Judge

Dated: New York, NY  
August 25 2008